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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 NATIONSTAR MORTGAGE, LLC, a Delaware
Company,

12 Plaintiff,

13 vs.

14 GARY THOMPSON, an Individual,

15 Defendant.

Case No.: 2:15-cv-01665-JAD-PAL

**STIPULATION AND ORDER TO LIFT
STAY**

ECF No. 34

17 Plaintiff Nationstar Mortgage LLC (**Nationstar**), and defendant Gary Thompson (**Mr.**
18 **Thompson**) submit the following stipulation to lift the stay imposed by the court on August 17,
19 2016 [ECF No. 24].

20 On August 17, 2016, this Court entered an order staying this case pending resolution of
21 *Bourne Valley Court Trust v. Wells Fargo Bank, N.A.*, 832 F.3d 1154 (9th Cir. 2016) [ECF No. 24].
22 The court also certified a question to the Nevada Supreme Court in *SFR Investments Pool 1, LLC v.*
23 *The Bank of New York Mellon*, 134 Nev. Ad. Op. 58 (2018). The certified question sought
24 clarification of whether NRS 116 *et seq.*, the statutes at issue in this case, incorporated the notice
25 provisions of NRS 107 *et seq.*, prior to the 2015 legislative amendments. The Nevada Supreme
26 Court answered the certified question on August 2, 2018. *See id.*

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On March 25, 2019, this Court entered an order directing Nationstar to move to lift the stay on or before April 26, 2019 [ECF No. 32]. The parties agree that the basis upon which this matter was stayed has been satisfied and seek an order lifting the stay of this case.

Once the Court lifts the stay, the parties will file their proposed discovery plan and scheduling order within twenty-one (21) days after the entry of the order lifting the stay.

The parties agree the stay may be lifted, if it so pleases the Court.

DATED April 24, 2019.

| AKERMAN LLP | LAW OFFICES OF P. STERLING KERR |
|---|---|
| <i>/s/ Jared M. Sechrist</i> | <i>/s/ Taylor Simpson</i> |
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ORDER

Based on the parties' stipulation [ECF No. 34] and good cause appearing, IT IS HEREBY ORDERED that THE STAY IS LIFTED.

IT IS FURTHER ORDERED THAT **the parties have until May 31, 2019, to meet and confer** as defined by Local Rule IA 1-3(f) regarding (1) a proposed discovery plan and scheduling order as contemplated by Local Rule 26-1, (2) what discovery still needs to be conducted, (3) what viable claims and defenses remain in the case in light of recent decisions from the Supreme Court of Nevada, and (4) the issues that the parties intend to raise in any dispositive motion that the parties anticipate filing within the next 90 days. **A party representative for each party must attend the conference, either in person or by telephone.** Requests to be excused from any aspect of this meet-and-confer requirement will be denied absent extraordinary circumstances.

IT IS FURTHER ORDERED THAT the parties must file their Proposed Amended Stipulated Discovery Plan and Scheduling Order in compliance with Local Rule 26-1 by **June 14, 2019**.

IT IS FURTHER ORDERED THAT any dispositive motion filed in this case must be accompanied by a declaration by the movant's counsel that sets forth the details of the meet-and-confer in compliance with Local Rule IA 1-3(f)(2) and certifies that, despite good-faith efforts, the issues raised in the motion could not be resolved. The court may summarily deny any motion that fails to comply with this requirement.